



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**  
Do **NOT** use for expedited rule making

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**DATE: November 07, 2018**

**TIME: 10:26 AM**

**WSR 18-22-129**

**Agency:** Washington State Dept. of Agriculture

**Subject of possible rule making:** Chapter 16-228 WAC – General Pesticide Rules. The department is considering modifying provisions regarding pesticide examinations in order to offer computer-based testing services.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 15.58.040 and 17.21.030

**Reasons why rules on this subject may be needed and what they might accomplish:** The department oversees a licensing and continuing education program for more than 28,000 pesticide applicators, dealers, consultants, and structural pest inspectors. As part of the licensing process, the department administers pesticide exams to ensure that individuals and businesses that apply, sell, or consult about pesticide products have the knowledge to do so in a safe and effective manner. Currently, exams are offered in paper form at limited locations on limited dates and are required to be scored manually. The department is considering moving to a computer-based testing environment where applicants can take exams at testing facilities throughout the state. Offering computer-based exams at more facilities throughout the state will make completing the exam step in the licensing process more efficient, convenient, and accessible for applicants. In order to offer this service, the department is considering utilizing a third party vendor to conduct computer-based exams. The department may need to revise current rule language to facilitate the use of computer-based testing, including but not limited to raising and restructuring exam fees.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The department will discuss proposed rule amendments with the Environmental Protection Agency.

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) Department staff will discuss any proposed amendments with affected stakeholder groups.

Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearings.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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(If necessary)

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Other:

Additional comments:	
<b>Date:</b> November 7, 2018	<b>Signature:</b>
<b>Name:</b> Robin Schoen-Nessa	
<b>Title:</b> Assistant Director	